

ITW

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:  
MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 3, 2006

Signature: Linda Blake

(Linda Blake)

Docket No.: MIY-P03-006  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gellman et al.

Application No.: 10/774,826

Confirmation No.: 9242

Filed: February 9, 2004

Art Unit: 3739

For: DEVICES FOR MINIMALLY INVASIVE  
PELVIC SURGERY

Examiner: Not Yet Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A full translation of the non-English language reference is enclosed.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information

as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. MIY-P03-006. A duplicate copy of this paper is enclosed.

Dated: October 3, 2006

Respectfully submitted,

By 

Carl A. Morales

Registration No.: 57,415

FISH & NEAVE IP GROUP, ROPES & GRAY  
LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant



PTO/SB/08a/b (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/774,826		
		Filing Date	February 9, 2004		
		First Named Inventor	Barry N. Gellman		
		Art Unit	3739		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket Number	MIY-P03-006

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AM	US-5,518,504	05-21-1996	Polyak	
	AN	US-5,549,619	08-27-1996	Peters et al.	
	AO	US-5,899,909	05-04-1999	Claren et al.	
	AP	US-6,491,703	12-10-2002	Ulmsten	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BF	WO-93/19678	10-14-1993	Vesitec Medical, Inc.		
	BG	WO-97/13465	04-17-1997	Ulmsten		
	BH	EP-0778749B1	12-27-2000	Ethicon, Inc.		
	BI	EP-1159921A2	12-05-2001	Ethicon, Inc.		
	BJ	EP-0854691B1	01-02-2002	Ethicon, Inc.		
	BK	EP-1151722 B1	08-04-2004	Ethicon, Inc.		
	BL	JP-05-078210	10-26-1993			

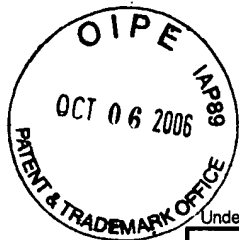
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with a single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CD	Gormley et al., Pubovaginal Slings for the Management of Urinary Incontinence in Female Adolescents, <i>J. Urology</i> , 1994, 822-825.	
	CE	McGuire, E.J., et al., Pubovaginal Sling Procedure for Stress Incontinence, <i>J. Urology</i> , 2002, 167, 1120-1123 (reprinted from <i>J. Urology</i> , 1978, 119, 82-84).	
	CF	McGuire, E.J., Abdominal Procedure for Stress Incontinence, <i>Urol. Clin. North Am.</i> , 12(2): 285-290 (May 1985).	
	CG	McGuire, E.J., Abdominal Procedure for Stress Incontinence, <i>Clinics in Obst. and Gyn.</i> , 12(2): 395-402 (June 1985).	
	CH	Stamey, T.A., Endoscopic Suspension of the Vesical Neck for Urinary Incontinence in Females, <i>Annals of Surgery</i> , 1980, 192, 465-471.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



Application No. (if known): 10/774,826

Attorney Docket No.: MIY-P03-006

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on October 3, 2006  
Date

*Linda Blake*

Signature

Linda Blake

Typed or printed name of person signing Certificate

Registration Number, if applicable

(212) 596-9000  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Supplemental Information Disclosure Statement (2 pages, in duplicate;  
total: 4 pages)  
Form PTO SB/08 (1 page) (16 references)  
Copy of references BF-BL and CD-CH  
Return Receipt Postcard  
This Certificate of Mailing under 37 CFR 1.8